



Amanda C. Williams

Partner

t: 843.727.6309

f: 843.727.2680

amandawilliams@parkerpoe.com

Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

February 19, 2025

VIA ECF

Honorable Bruce H. Hendricks
United States District Court
PO Box 835
Charleston, SC 29402
Hendricks_ecf@scd.uscourts.gov

RE: *Brian Fokes v. Rebel Taqueria LLC*
Civil Action No: 2:23-cv-05906-BHH

Dear Judge Hendricks:

We represent Defendant Rebel Taqueria, LLC in the above-referenced case. We are writing with a brief update on the status of this matter. On July 12, 2024, Defendant, with the consent of Plaintiff's counsel, filed a Joint Motion to Amend Scheduling Order requesting a 90 day extension of all scheduling order deadlines in light of the death of Plaintiff Brian Fokes on July 5, 2024. Counsel for Mr. Fokes indicated that he needed time to work with Plaintiff's family and the probate court regarding this matter.

As of November 2024, there was no substitution and no record of a pending probate matter for Mr. Fokes' estate despite various follow-up communications by defense counsel regarding the same. On December 20, 2024, Defendant filed a Suggestion of Death pursuant to Rule 25(a)(1) of the Federal Rules of Civil Procedure. At the time of the filing, Defendant could not locate an estate for Mr. Fokes, nor did it appear that an executor or an administrator had been named or appointed. Accordingly, Defendant served the Suggestion of Death on Plaintiff's potential successors. No substitution of Plaintiff has yet taken place in accordance with Rule 25, and thus, the case has been in a state of suspension since Plaintiff's death in July 2024 pending a substitution or dismissal in compliance with Rule 25(a)(1) of the Federal Rules. If the Court needs something further from Defendant at this time, please advise.

Sincerely,

A handwritten signature in blue ink that reads 'Amanda Williams'.

Amanda C. Williams

cc: Matthew O. King, Esq.

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